

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

FILED  
ASHEVILLE, N.C.

OCT 06 2020

U.S. DISTRICT COURT  
W. DIST. OF N.C.

UNITED STATES OF AMERICA	)	DOCKET NO. 1:20CR64
	)	
v.	)	<u>SUPERSEDING BILL OF INDICTMENT</u>
	)	
JACOB DAYLEN ROSS	)	Violation:
a/k/a "JAKE"	)	18 U.S.C. § 2251(a)
	)	18 U.S.C. § 2252A(a)(5)(B)
	)	

THE GRAND JURY CHARGES:

**COUNT ONE**

On or about March 19, 2020, in McDowell County, within the Western District of North Carolina and elsewhere,

**JACOB DAYLEN ROSS**  
**a/k/a "JAKE"**

employed, used, persuaded, induced, enticed, and coerced a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials that had been mailed, shipped and transported in interstate commerce, and knowing that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce, and did attempt to do so.

In violation of Title 18, United States Code, Section 2251(a).

## **COUNT TWO**

On or about March 20, 2020, in McDowell County, within the Western District of North Carolina and elsewhere,

**JACOB DAYLEN ROSS**  
**a/k/a "JAKE"**

employed, used, persuaded, induced, enticed, and coerced a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials that had been mailed, shipped and transported in interstate commerce, and knowing that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce, and did attempt to do so.

In violation of Title 18, United States Code, Section 2251(a).

## **COUNT THREE**

On or about March 29, 2020, in McDowell County, within the Western District of North Carolina and elsewhere,

**JACOB DAYLEN ROSS**  
**a/k/a "JAKE"**

employed, used, persuaded, induced, enticed, and coerced a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials that had been mailed, shipped and transported in interstate commerce, and knowing that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce, and did attempt to do so.

In violation of Title 18, United States Code, Section 2251(a).

#### **COUNT FOUR**

On or about June 8, 2020, in McDowell County, within the Western District of North Carolina and elsewhere,

**JACOB DAYLEN ROSS**  
**a/k/a "JAKE"**

employed, used, persuaded, induced, enticed, and coerced a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials that had been mailed, shipped and transported in interstate commerce, and knowing that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce, and did attempt to do so.

In violation of Title 18, United States Code, Section 2251(a).

#### **COUNT FIVE**

From on or about June 16, 2020, through to on or about June 17, 2020, in McDowell County, within the Western District of North Carolina and elsewhere,

**JACOB DAYLEN ROSS**  
**a/k/a "JAKE"**

employed, used, persuaded, induced, enticed, and coerced a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials that had been mailed, shipped and transported in interstate commerce, and knowing that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce, and did attempt to do so.

In violation of Title 18, United States Code, Section 2251(a).

**COUNT SIX**

On or about June 24, 2020, in McDowell County, within the Western District of North Carolina, and elsewhere

**JACOB DAYLEN ROSS  
a/k/a "JAKE"**

knowingly possessed and accessed with intent to view any material that contained an image of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that involved a prepubescent minor and a minor who had not attained 12 years of age, that has been mailed, and shipped and transported using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that have been mailed, and shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Section 2252A(a)(5)(B).

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**NOTICE OF FORFEITURE AND FINDING OF PROBABLE CASE**

Notice is hereby given of 18 U.S.C. § 2253 and 21 U.S.C. § 853. The following property is subject to forfeiture in accordance with 18 U.S.C. § 2253 and 21 U.S.C. § 853:

- a. Any visual depiction or book, magazine, periodical, film, videotape, or other matter which contains any such depiction, which was produced, transported, mailed, shipped, or received during the violations set forth in this bill of indictment;
- b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from proceeds of the violations;
- c. Any property, real or personal, used or intended to be used to commit or promote the violations; and
- d. If, as set forth in 21 U.S.C. § 853(p), any property described in (a), (b), or (c) cannot be located upon the exercise of due diligence, has been transferred or sold to, or deposited with, a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, all other property of the defendant/s to the extent of the value of the property described in (a), (b) and (c).

The Grand Jury finds probable cause that the following property that was seized on or about June 24, 2020 during the course of the investigation of the offenses herein is subject to forfeiture on one or more of the grounds stated above: One (1) Samsung Galaxy s10.

A TRUE BILL:

REDACTED

R. ANDREW MURRAY  
UNITED STATES ATTORNEY

  
ALEXIS I. SOLHEIM  
SPECIAL ASSISTANT UNITED STATES ATTORNEY